IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS TYLER DIVISION

UNITED STATES OF AMERICA, 900000 Plaintiff, VS. Case No. 6:22-cv-00048 GERALD P. FOOX and CAROL A, FOOX, Defendant, MERRILL LYNCH, PIERCE, FENNER AND SMITH, CAPITAL ONE BANK, N.A., and CHARLES SCHWAB & CO., INC., UNITED HERITAGE CREDIT UNION, EAST TEXAS PROFESSIONAL CREDIT UNION, TELCO PLUS CREDIT UNION. KELLY COMMUNITY CREDIT UNION. TEXAS BANK, and TEXAS NATIONAL BANK Garnishees

ANSWER OF GARNISHEE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Texas Bank in answer to this Writ of Garnishment, who would show as follows:

- A. Garnishee, Texas Bank, is a Texas State Chartered, Federally Insured Banking Institution incorporated under the laws of the State of Texas with its principal place of business in Henderson, Rusk County, Texas.
- B. On the 1st day of April, 2022 Texas Bank was served with the Writ of Garnishment referenced herein.
 There have been no prior garnishments served on Texas concerning these Judgment Debtors.
- C. Texas Bank has custody, control, or possession of the accounts described below in which the Debtor maintains an interest or has signatory authority in and over:
 - Time Deposit Account No. 1508878 in the amount of \$500,000.00 in the name of Gerald
 Peter Foox or Carol Anne Foox which will mature on the 25th day of May, 2022; and

- 2. Senior Advantage Checking Account No. 5200814 in the amount of \$5,222.26 in the name of Gerald Peter Foox or Carol Anne Foox.
- D. Texas Bank does not anticipate owing any other money to the Judgment Debtor in the future.
- E. Texas Bank does not hold any other property or safety deposit box which might be subject to this
 Writ of Garnishment of which it is aware.
- F. Texas Bank has mailed a copy of this answer via first-class mail to the Judgment Debtors at 3713 Winding Way, Tyler, TX 75707 and to the attorney for the United States, Herbert W. Linder, United States Department of Justice, Tax Division at 717 N. Harwood., Ste. 400, Dallas, TX 75201.
- G. Texas Bank anticipates an offset in the amount of \$600.00 for attorney's fees necessary for filing of this Answer, and for such other and further relief to which it may show itself justly entitled.

Respectfully Submitted,

LAW OFFICE OF THOMAS H. BROWN, PLLC

By:

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ATTORNEY FOR TEXAS BANK

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing has been served on all attorney's of record on this the 375 day of April, 2022.

Thomas H. Brown

VERIFICATION

STATE OF TEXAS

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COUNTY OF RUSK

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BEFORE ME, the undersigned Notary Public, on this day personally appeared Yuli Elizondo, who, being by me duly sworn on oath deposed and said that she is an Assistant Vice President of Texas Bank, "Garnishee" in the above-entitled and numbered cause; that she has read the above and foregoing Answer to Writ of Garnishment; and that every statement of fact contained in that document is within her personal knowledge and is true and correct.

SWORN TO AND SUBSCRIBED before me on the

My Commission Expires

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DULCE PALMIRA ROJAS GARCIA Notary Public, State of Texas Comm. Expires 09-23-2023 Notary ID 132182412